

TWO DOCTORS ON
JOLLY TERMS

(Continued from First Page.)

tion. Unless you demand it, I consider it my duty to continue to discharge its duties.

(Signed) L. S. FOSTER, Superintendent.

Shortly after the receipt of this letter Dr. Brunk said to Dr. Foster: "I am here on my rights, and again request you to turn over to me the property of the hospital in your possession. I am ready to receive the same. The course I pursue will be determined by you."

"Do you intend that request to be a demand?" asked Dr. Foster.

"I mean it to be a request," answered Dr. Brunk.

"I would like to reply to what he said in reply to my letter," said Dr. Foster.

"I don't know what your rights are. I am standing on what I believe to be my rights. However, if you claim your rights to be a demand for this office, here are the keys. Here they are now, doctor," said Dr. Foster, as he picked the keys up.

Refused to Take Them.

Dr. Brunk, however, smiled and refused to take them. He said: "I claim that my rights are set forth by the resolution passed by the General Board of State Hospitals at the meeting held in the Senate chamber in the city of Richmond, January 29, 1907, and those sustained by the action of the Circuit Court of Richmond and the Supreme Court of Virginia. It is for you to decide what you will do in this case." Dr. Brunk refused flatly to demand the keys, but said he was there requesting their delivery. Had Dr. Brunk demanded the keys he would have been disobeying the injunction of Judge Tyler, and would have placed himself in a position of being summoned to answer charges of contempt of court. The peculiar position of affairs at the asylum is nearly the only topic of conversation on the streets now, and the better portion generally of the town are in favor of Dr. Foster. Many condemn his action, but the majority uphold him, and express the hope that he may yet win out.

Peculiar Situation.

Dr. Foster was inaccessible to your correspondent to-night, having retired early on account of a slight indisposition. Dr. Brunk is employing his leisure hours to-night at the pool room of the Montague Club. Judge Tyler, when seen to-night, said that he had no statement to make. No more summonses had been served on him, he said, and no action had been taken, so far as he knew. The situation is very peculiar, said the judge.

It is not the peculiar nature of the documents being served, however, he said, but in the number being served and the conditions under which they are being served. The judge expressed it as his opinion that no further action will be taken until Tuesday, when the Supreme Court will settle the whole matter.

Although much trouble and confusion has been caused by the mix-up in the affairs at the asylum, one person, at least, seems to be enjoying the situation. That person is City Sergeant Lawson, who seems to have been thoroughly performing his duties of delivering the writs and injunctions.

LAWYERS WORK
ON FOSTER CASE

Jeffries and Lawless Spend a Day
Here Consulting Legal
Authorities.

Colonel Joseph T. Lawless and his law-partner, Hon. John L. Jeffries, of Norfolk, spent yesterday in Richmond consulting authorities in the State Law Library with reference to the various legal papers that have been issued by the courts in the famous Foster case, in which they are attorneys.

They came here for convenience, because certain books needed in the case were not available in Norfolk. They spent nearly all the day in the library, and left for Norfolk at 7 o'clock last night.

Their client, Dr. Foster, met them at Newport News and rode with them to Williamsburg, conferring in all likelihood, on the subject of the case.

Senator Jeffries called on Governor Swanson during the day, and was with him in his Excellency for some time, but it is not known that their conversation touched upon the Foster matter.

Reply to Rule.

"We are here preparing our answer to the petition for a writ of prohibition in the Foster case," said Colonel Lawless, when seen just before leaving the city. "We are also working on a reply to the rule for contempt of court issued by Judge Scott against Dr. Foster and myself," he continued.

"Senator Jeffries will appear for both of us in this proceeding next Wednesday. We will be here on Tuesday to appear before the Supreme Court in the matter of a petition for a writ of prohibition, which is pending there."

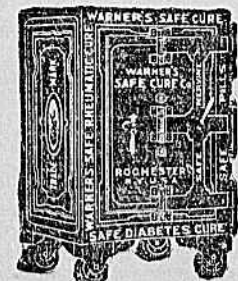
Colonel Lawless was apparently in fine spirits. When some of his friends good-naturedly twitted him about the possibility of Judge Scott sending him to jail for contempt of court, he

RESTORED TO HEALTH
Doctors say: "Almost Every One Has Kidney and Bladder Troubles Before Fifty Years of Age."

WARNER'S SAFE CURE

IS THE ONLY ABSOLUTE CURE FOR ALL FORMS OF KIDNEY DISEASE. A TRIAL BOTTLE WILL BE SENT ABSOLUTELY FREE TO EVERY READER OF THE TIMES-DISPATCH.

Mrs. J. D. Smith, Ottumwa, Iowa, was so "badly run down" that she was unable to walk. She was restored to health by Warner's Safe Cure. She writes: "I wish to thank you for what Safe Cure has done for me. About six months ago I saw it advertised and began taking it. I was badly run down and unable to walk. I was restored to health. I know that nothing else could have done me as much good. Several friends, whose kidneys and liver were troubling them, and who saw what Warner's Safe Cure did for me, are now using the Safe Cure with good results."



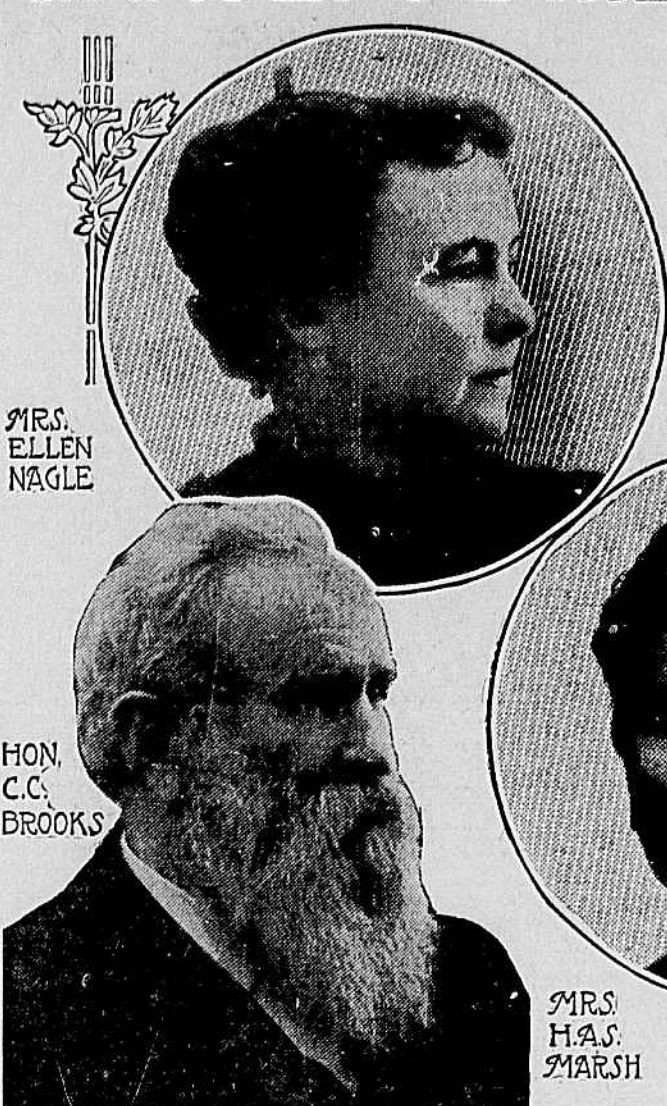
"I shall always be glad to recommend it," Mrs. J. D. Smith, Ottumwa, Iowa, July 31, 1906.

CURES KIDNEY DISEASE.

When the kidneys are diseased the urine acid is not carried off, and this causes Gout, Lumbago, Rheumatism of the Joints, Rheumatism of the Muscles, Rheumatism of the Heart, Rheumatism of the Liver, and all the other troubles which are often constituted and the liver torpid. Warner's Safe Pills quickly relieve this condition, and no ill after-effect is experienced.

To convince every sufferer from diseases of the kidneys, liver, bladder and blood that Warner's Safe Cure will cure them, a TRIAL BOTTLE FREE, postpaid, to any one who will write WARNER'S SAFE CURE CO., Rochester, N. Y., and mention having seen the advertisement of this offer is fully guaranteed. Our doctors will also send, medical booklet containing descriptions of symptoms and treatment of each disease and many convincing testimonials free to every one.

GRATEFUL MEN AND WOMEN PRAISE PE-RU-NA.



MRS. ELLEN NAGLE

Mrs. Ellen Nagle, 414 4th St., Green Bay, Wis., writes: "I have often heard Peruna praised and it is more widely known here than other medicines, but I never knew what a splendid medicine it really was until a few weeks ago when I caught a bad cold which settled all over me. The doctor wanted to prescribe, but I told him I was going to try Peruna and sent for a bottle and tried it. I felt much better the next morning and within five days I had not a trace of any lameness or cough."



MRS. S. M. MORRIS

Prince Jonah Kalamianaoe, Dewey Hotel, Washington, D. C., Delegate to Congress from Hawaii, writes: "I can cheerfully recommend your Peruna as a very effective remedy for coughs, colds and catarrhal trouble."

PRINCE JONAH KALAMIANAOE

Malaria Fever for Several Months.

Mrs. Sue M. Morris, 2214 Patterson St., Nashville, Tenn., writes: "Last fall a severe attack of malaria fever laid me up for some months. My condition was serious for a time and the doctor who was attending me did not seem able to cope with the trouble. A neighbor advised me to let the doctor's prescription alone and try Peruna, extolling its virtues to the skies, and I am now ready to do the same, for in three days I was much better and in ten days I was able to be up and in two weeks every trace of malaria had left my system."

"I now use Peruna off and on when in need of a tonic and it braces me up wonderfully."

"The Doctors Gave Me Up."

Mr. Lewis Kitchen, Huntington, Ohio, writes:

"I cannot thank you enough for the good your Peruna has done me. About six months ago I could not leave my bed, and the doctors gave me up saying that I had consumption and could not live. Then a friend recommended Peruna to me, and I commenced using it. When I started to use your Peruna I weighed 117 pounds, and now I weigh 122 pounds. I had been sick for ten years, and was so sick I began the use of Peruna. I think it is the greatest medicine of its time."

"I am now feeling well and hearty and would not be without Peruna."

Weak and Nervous.

Mr. Charles Brown, Rogersville, Tenn., writes:

"I feel it my duty to write you a few words in praise of your Peruna. I have tried many different remedies, but have found that Peruna is the greatest tonic on earth, and a perfect system builder."

"A friend advised me to take Peruna for indigestion, and it cured me in a short time. I was very weak and nervous, could sleep but little at night, but Peruna cured that tired, all-gone feeling, and made me feel like a new man, so I heartily recommend it to all who are weak and run down. Peruna will give new life and energy. I cannot speak too highly of Peruna, and will not forget to recommend it on every hand. I will answer any letter from those desiring to know what Peruna has done for me."

Systemic Catarrh.

Miss Marie Lesser, 928 W. 36th Street, Chicago, Ill., writes:

"I am glad to give a good word for Peruna, and I hope that all who are troubled with systemic catarrh as I was for years, will profit by it. I had tried many remedies, but none did more than give me temporary relief and some did not even do that."

"I took Peruna at the suggestion of a friend and was more than pleased and surprised at the results."

"I am now perfectly well and strong."

True Cause of Disease.

In these days almost every ailment is supposed to be caused by disease germs.

The medical profession as well as the people, seem to have gone mad over the germ theory of disease.

The universal fear and dread of disease germs is becoming a very serious matter to the welfare and happiness of the people.

Dr. Hartman has consistently contended through all the rise and spread of the germ theory, that most diseases are caused by climatic influences.

For instance, catching cold is responsible for more than one-half of the ills to which human beings are subject.

Danger of Neglected Colds.

A person catches cold easily, thinks nothing about it, neglects it, when it finally becomes settled in some organ of the body, and chronic disease is the result.

A few doses of Peruna in the beginning of the cold would have saved months of suffering, as well as great expense for treatment.

Peruna is a reliable relief for cold. Almost everybody knows this.

Instead of trying to dislodge or kill some imaginary germ, if Peruna was used at the proper time its tonic properties and anti-catharral qualities would soon convince the patient that he has found the right remedy.

A multitude of letters are received testifying to this fact.

Keep Peruna in the house. Use it whenever cold or climatic affections assail, and sickness in the household will become greatly lessened, if not entirely prevented.

Catarrh of the Stomach.

Mr. Christian Hofmann, R. F. D. 1, Slatton, Pa., writes:

"For many years I suffered with catarrh of the stomach. I was coughing day and night. After having tried three doctors and many remedies, one of your almanacs came to my hand, and I bought some Peruna. So far I have taken six bottles, and I have not suffered with catarrh this summer. I am cured and Peruna did it. I give Peruna to my children when they feel bad and you should see how healthy they are."

Nose, Throat and Stomach.

Mr. Delbert B. Craft, Lowell, Ind., writes:

"For a long time I suffered with chronic catarrh of the nose, throat and stomach. I could not continue to take medicine, and my stomach was in bad condition. I truly suffered untold misery. I took various medicines and tried the treatment of several physicians, but I felt no better. A friend advised me to take Peruna. I wrote to Dr. Hartman, who prescribed treatment. As soon as I commenced to take Peruna I was surprised at the relief it gave me. I kept on taking it until I had taken thirteen bottles and was cured."

Mrs. Joseph Vittur, 5709 Erie Street, Austin, Sta., Chicago, Ill., writes:

"Your medicine Peruna was of great benefit to me. I suffered with catarrh of the nose and head for many years. Three bottles of Peruna cured me, after I had considered it impossible to ever be cured again. I now always keep Peruna in the house, and recommend it to every one suffering from catarrh as a good remedy."

WATCHING THE FACES OF
THE MEN IN JURY BOX

HARRY KENDALL THAW ON WATCH.

THAW IMPATIENT
FOR THE BATTLE

(Continued from First Page.)

MacKenzie will be one of the first witnesses to take the stand.

May Not Take Stand.

Mr. Peabody, of Thaw's counsel, was also a visitor at the Tombs today, and in leaving took occasion to deny the report that Thaw had decided to take the stand in his own behalf.

While such an action might be possible, he said, no decision to that end has been reached. Mr. Peabody declared that the defense to be interposed for Thaw will be

a lengthy one. "There are many witnesses to be called," he said, "and I cannot say how long it will take to examine them."

The fact that the State may not require more than one session of the court in which to introduce its direct testimony means that Mr. Jerome intends to carry out the plan he conceived months ago of letting the defense bring up the causes which are alleged to have led to the tragedy. The prosecution then will attempt to refute, in detail, every contention of the defense, and the State's case in rebuttal may require even more time than that consumed by the introduction of the testimony for the defendant.

Rumors of possible changes in at least one juror continued to circulate to-day, and it was said that when the trial resumed Monday morning the district attorney may spring a fresh surprise.

Thaw is pleased with the jury as it is now constituted, however, and his lawyers are equally well satisfied. Unless some extraordinary pressure is brought to bear upon them it is not likely they will consent to any further changes. In that event Monday morning will witness the taking of testimony.

IDA FITCH WILL
TESTIFY AGAINST THAW

PITTSBURGH, PA., February 2.—Assistant District Attorney Hartford T. Marshall, of New York, who was here looking up Harry Thaw's record, is reported to have left last night for home. Before leaving, he is said to have wired District Attorney Jerome that Miss Ida Fitch, of Wheeling, will go to New York to testify against Thaw.

As information was made against William Robinson in 1905 before Justice Creelman, charging him with enticing a minor, Miss Fitch is alleged to have been the minor. The charges were withdrawn, and the allegation made that Thaw was Robinson, and that he gave the name of William Robinson to avoid publicity. This has been denied by Thaw's detectives, who investigated the matter. They declared it was not Thaw, and that he had nothing to do with the case.

REAR-END COLLISION
NEAR SALISBURY

(Special to The Times-Dispatch.)

SALISBURY, N. C., February 2.—A rear-end collision occurred between two freight trains at Bath, near Salisbury, early this morning, resulting in serious injuries to Engineer Baxter Sowers, who is reported to have lost a foot by being run over by an engine. The wreckage, including a large lot of cotton, caught fire, and was burned. The cause of the collision is unknown.

Steamer Ashore.

WILMINGTON, N. C., February 2.—The Wilmington tug "Alexander Jones" left to-night to the assistance of an unknown British steamer, supposed to be the "Sheppy Allison," Captain Dodd, from Pensacola to Ocean, January 25th, reported ashore two and a half miles southwest of Cape Lookout.

The revenue cutter Senhale, at Southport, N. C., will also probably proceed to the assistance of the vessel.

General Magruder's Son Dead.

ROME, February 2.—Henry Magruder, son of the late Confederate General John Bankhead Magruder (who died in Houston, Texas, in 1871), is dead. Mr. Magruder had been traveling in Italy with his niece, Miss Rucker, who nursed him during the illness which ended in his death.

SEND BODIES OF
WRECK VICTIMS HOME

Both Men Who Lost Lives in Accident at Roanoke Were Horribly Scalded.

RALEIGH, N. C., February 2.—The bodies of Engineer Curtis Constable and Fireman M. C. Riggan, who lost their lives in the railroad accident at Roanoke River last evening, were brought here, prepared for burial, and to-day sent, respectively, to Union Hill, N. J., and Warrenton, N. C., for burial. Both were terribly scalded. Constable was a member of the Middletown, N. Y., Brotherhood of Locomotive Engineers, and his wife has been boarding in this city for some time. He was about thirty-five years old.

Fireman Riggan was probably thirty-five. Besides being terribly scalded, there was a large wound gouged in his thigh.

The accident was caused by the collision of southbound freight No. 11 with a pile-driver standing at the Roanoke River bridge.

WEST VIRGINIA TO
FIGHT DEBT SUIT

Appropriates Fifty Thousand Dollars to Employ Counsel.

CHARLESTON, W. VA., February 2.—The West Virginia House of Delegates to-day passed by unanimous vote the bill appropriating the sum of \$50,000 for the purpose of defraying expense of employing eminent legal counsel to assist Attorney-General May in the defense of the suit brought by the State of Virginia against this State to compel the latter to pay her alleged share of the Virginia State debt. It is said John G. Carlisle, of Kentucky, will assist Attorney-General May in the defense.

WITH THE DEAF MUTES.
Silent People to Have Entertainment This Month.

An entertainment will be given at the Young Men's Christian Association, on February 21st for the benefit of the deaf mutes of the city, and it promises to be unique in many respects. The funds thus raised will be used to defray the expenses of entertaining the delegates to the Deaf Mutes' Convention, which will be held in Norfolk on July 4th-6th.

Mrs. M. C. Heeke will sing a song in signs, and her little sister, Miss Katie Hart, will act as interpreter. Another

sister, Miss Sallie Hart, will furnish the music on the piano.

The following compose the entertainment committee for the convention: Messrs. W. C. Ritter, chairman, of Hampton; Joseph H. Heeke and A. G. Tucker, both of this city; S. C. Jones, of Staunton; C. A. Bruce and J. L. Randolph, both of Norfolk; M. Jenks, of Portsmouth, and G. W. Veditz, ex-officio, of Colorado Springs, Col.

Railroad Case On.

The Corporation Commission heard further testimony yesterday in the case brought by citizens to compel the Tidewater and Western Railroad Company to furnish a better passenger schedule over its line. The case was not quite completed, and will go on to-morrow.

The two-cent passenger-rate hearing will be resumed Tuesday, when the Richmond, Fredericksburg and Potomac and Norfolk and Southern will be called to testify.

Virginia
Trust Company

No. 922, Northwest Corner Tenth and Main Streets.

This Company issues Guar-antee, Judicial and Contract Bonds. Applications acted upon without delay.

The Great Sale Is On!

1,000 Red Tags

Have been put on choice pieces of

Furniture

Throughout our great stock.

The sale is from our carefully selected stock, which is very choice and desirable.

Every piece with red tag cut, and is GOOD and MORE than GOOD VALUE. This is our greatest offering to the public and your opportunity.

Sydnor & Hundley

LEADERS

709, 711, 713 East Broad Street